

Application Serial No. 09/915,492

**REMARKS**

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding.

2. **35 U.S.C. §102(e).**

Claims 9-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by Yee, U.S. Patent No. 6,738,975.

Applicant respectfully disagrees.

The Examiner relies on Yee's figures 2 and 4A as teaching "at least one MOM module coupled to one of the plurality of applications and to the database." Emphasis added.

In fact, the cited teaching does not describe a MOM module . . . coupled to a database. Figure 4A does show an intelligent agent adapter, with the agent portion 210 in communication with the enterprise integration system, not the database. Figure 2 of Yee shows the interrelation of the elements in greater detail: the intelligent agent adapters 200 are connected to an integration server. Accordingly, rather than being coupled to the repository 140, the intelligent agent adapter 200 is coupled to the integration server 180. While Yee describes the system as being distributed, in fact the system relies on the integration server and it's indwelling enterprise messaging engine to mediate between all components of the system. For example, any communication between the repository 140 and the intelligent agent adapter 200 is mediated through the integration server 170. Furthermore, the written description characterizes the system as having a message brokering facility (col. 14, lines 20-23).

In stark contrast, as shown in Figure 1 of the current application and described in the accompanying written description, the claimed invention provides unbrokered communication among the MOM modules, the database, the message bus, and the queue manager. Accordingly, the independent claims have been amended to include the element "wherein communication among said database, said MOM, said message bus and said queue manager is brokerless."

Application Serial No. 09/915,492

No new matter is added by way of the amendments. Therefore, all rejections under 35 U.S.C. § 102(e) are deemed to be overcome.

2. 35 U.S.C. §103(a).

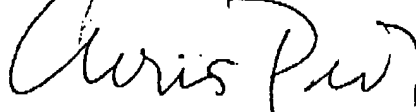
Claims 1-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yee. Applicant respectfully disagrees. Because claim 1 describes an apparatus that substantially corresponds to the method described in claim 9, the remarks with respect to claim 9 apply equally to claim 1. Because there is no teaching or suggestion of the claimed invention in the combined teachings of the reference and the knowledge generally available to one of ordinary skill in the art, the current rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Yee is deemed to be improper. Because claim 7 shares elements with both claims 9 and 1, the above remarks apply equally to claim 7. However, even if the Examiner had made out a proper *prima facie* case of obviousness, the current rejection would be overcome by the above amendment to claims 1 and 7. In view of their dependency from allowable base claims, the dependent claims are deemed to be allowable without any further consideration of their merits.

Application Serial No. 09/915,492

### CONCLUSION

Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly requests reconsideration and prompt allowance of the claims, allowing the Application to pass to issue as a United States Patent. The Examiner is invited to call to discuss the response with Applicant's attorney or agent. The Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 07-1445.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Chris Peil", written in black ink.

Christopher Peil

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